

To: "Jewell, Michael S SPK" [Michael.S.Jewell@usace.army.mil]
Cc: CN=Tom Hagler/OU=R9/O=USEPA/C=US@EPA;CN=Erin
Foresman/OU=R9/O=USEPA/C=US@EPA;"Laura Fujii" [Fujii.Laura@epamail.epa.gov]; N=Erin
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Fujii" [Fujii.Laura@epamail.epa.gov]
From: CN=Karen Schwinn/OU=R9/O=USEPA/C=US
Sent: Fri 3/5/2010 2:10:03 AM
Subject: Re: legal framework for alternative screening criteria for BDCP EIS

Interesting. This worries me a little but I agree its the lead agencies' call. If they go Ebbin's way, I think we need to memorialize the decision so there is documentation of the potential "cons" that we can point to later when someone complains of the extra time, \$, whatever.

Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: "Jewell, Michael S SPK" [Michael.S.Jewell@usace.army.mil]
Sent: 03/04/2010 06:02 PM PST
To: "Barajas, Federico" <FBarajas@usbr.gov>; Tom Hagler; "Castleberry, Dan"
<dan_castleberry@fws.gov>; "Maria Rea" <Maria.Rea@noaa.gov>; Karen Schwinn
Subject: FW: legal framework for alternative screening criteria for BDCP EIS

-----Original Message-----

From: Jewell, Michael S SPK
Sent: Thursday, March 04, 2010 3:20 PM
To: 'Nawi, David'
Cc: Grim, Mary; Nepstad, Michael G SPK
Subject: RE: legal framework for alternative screening criteria for BDCP EIS

Thanks. Just talked with Mark E. As you indicated, Mark suggested that the 404(b)(1) evaluation be handled in a separate document for specific elements (projects) of the Plan. There are some pros/cons to his idea but worth looking into. (BTW, in one year, we've gone full circle with Mark on this!)

Mike N and I will bring Mark's concept to the meeting next week to discuss with other Fed agencies. If lead agencies decide that's preferred route, we aren't going to protest.

Michael S Jewell
Chief, Regulatory Division
US Army Corps of Engineers, Sacramento District

-----Original Message-----

From: Nawi, David [mailto:David_Nawi@ios.doi.gov]
Sent: Thursday, March 04, 2010 2:21 PM

To: Jewell, Michael S SPK
Cc: Grim, Mary
Subject: FW: legal framework for alternative screening criteria for BDCP EIS

Mike - I just received and have quickly looked over the attached screening criteria document. I don't know if you have seen it or had any input into it. It appears that those who prepared the document clearly thought that the EIS would serve as your 404(b)(1) document as well (see pp.13-14). You might find this helpful when you speak with Marc.

David

-----Original Message-----

From: Mary_Grim@fws.gov [mailto:Mary_Grim@fws.gov]
Sent: Wednesday, March 03, 2010 3:37 PM
To: Nawi, David
Subject: legal framework for alternative screening criteria for BDCP EIS

as promised...

(See attached file: ScreeningLegalGuidelines2-10-10[1].doc)

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